

REMARKS

Claims 1, 3-13, 15-23, and 25-26 in this application are pending. Claims 1, 3-5, 13, 15-16, 23 and 25 have been amended. Claims 2, 14, 24 and 27-42 have been canceled without prejudice.

Allowable Subject Matter

The Patent Office indicated that claims 2-5, 14-16 and 24-25 are objected to as depending from a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2, 14 and 24 have been canceled. The elements of claim 2 have been introduced into claim 1, the elements of claim 14 have been introduced into claim 13 and the elements of claim 24 have been introduced into claim 23. Consequently, claims 1, 13 and 23 are believed allowable. Claims 3-12, 15-18, and 25-26 are believed allowable due to their dependence upon claim 1, 13 or 23.

Claim Objections

The Patent Office objected to claim 39 because it is the same as claim 38.

Claim 39 has been canceled, thus the objection to claim 39 is now moot.

Double Patenting

The Patent Office rejected claims 19-22 under the judicially created doctrine of double patenting over claims 1 and 3-5 of U.S. Patent No. 6,728,789.

A terminal disclaimer is submitted with this response obviating the double patenting rejection.

Claim Rejections - 35 U.S.C. § 102(e)

The Patent Office rejected claims 27, 30-36, and 38-41 under 35 U.S.C. § 102(e), as being unpatentable by Swank, US Patent No. 6,697,924 (Swank).

Applicant respectfully traverses the rejection; however, claims 27, 30-36, and 38-41 have been canceled. Consequently, the rejection of claims 27, 30-36, and 38-41 is now moot.

Claim Rejections – 35 U.S.C. 103(a)

The Patent Office rejected claims 1, 6-13, and 17-18 under 35 U.S.C. 103(a) as being unpatentable by Sjolander et al, US Patent No. 6,587,959 (Sjolander), and in view of Swank.

Applicant respectfully traverses the rejection of claims 1, 6-13 and 17-18, however, claim 1 has been amended to include the elements of claim 2, and claim 13 has been amended to include the elements of claim 14. Thus, claims 1 and 13 are believed allowable. Claims 6-12 depend from claim 1, and claims 17-18 depend from claim 13 and thus are believed allowable as depending from an allowable base claim.

Claims 23 and 26 have been rejected under 35 U.S.C. 103(a) as being unpatentable by Sjolander and in view of Blumenau, US Patent No. 6,839,747 (Blumenau), Dobberpuhl et al, US Patent No. 6,754,718 (Dobberpuhl), and Swank.

Applicant respectfully traverses the rejection of claims 23 and 26; however, claim 23 has been amended to include the elements of claim 24, and thus is believed allowable. Claim 26 depends from claim 23 and thus is believed allowable as depending from an allowable base claim.

Claims 28-29 have been rejected under 35 U.S.C. 103(a) as being unpatentable by Swank in view of Sjolander.

Applicant respectfully traverses, however claims 28-29 have been canceled, thus the rejection is now moot.

Claim 37 has been rejected under 35 U.S.C. 103(a) as being unpatentable by Swank in view of Blumenau.

Applicant respectfully traverses, however claim 37 has been canceled, thus the rejection is now moot.

Claim 42 has been rejected under 35 U.S.C. 103(a) as being unpatentable by Swank in view of Jenkins et al, US Patent No. 4,470,111 (Jenkins).

Applicant respectfully traverses, however claim 42 has been canceled, thus the rejection of is now moot.

CONCLUSION

The application is respectfully submitted to be in condition for allowance. Accordingly, notification to that effect is earnestly solicited. The present Amendment incorporates the features of dependent claims 2, 14 and 24 into independent claims 1, 13 and 23 respectively in order to hasten prosecution and put the application in a condition for allowance. In the event the indication of allowability is withdrawn, applicant reserves the right to amend the claims back to the original form for further prosecution, without prejudice, disclaimer or estoppel. In the event that issues arise in the application that may readily be resolved via telephone, the Examiner is kindly invited to contact the undersigned Attorney at (402) 496-0300 to facilitate prosecution of the application.

Respectfully submitted,

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